

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38880 of 2023

Arising Out of PS. Case No.-342 Year-2022 Thana- BUNIYAD GANJ District- Gaya

Vikash Kumar @ Billa Son of Shambhu Prasad @ Shambhu Tanti Resident of
mohalla - Jora Maszid, P.S. - Buniyadganj, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-07-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with S. Tr.
No. 352 of 2023 arising out of Buniyadganj P.S. Case No.
342 of 2022, registered for the offences punishable under
Sections 341, 342, 323, 307, 504, 506 and 34 of the
Indian Penal Code.

As per allegation, on 19.10.2022 when the
informant was at his electronic shop, the petitioner and his
associates came there and started abusing him. Later, on
protest made by informant, they assaulted at his head with
pistol and snatched Rs. 15,000.



Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the alleged injury is simple in nature. He also submits that the name of the petitioner was dragged due to dirty politics of the locality.

He further submits that the petitioner has been languishing in jail since 09.02.2023.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in two other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. concerned



Trial Court in connection with S. Tr. No. 352 of 2023 arising out of Buniyadganj P.S. Case No. 342 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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